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VIA ECF

Honorable Valerie Caproni, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 443
New York, New York 10007

Re: *In re Navidea Biopharmaceuticals Litigation, Case No. 19-cv-01578-VEC*

Dear Judge Caproni:

As the Court is aware, I represent Defendant/Counterclaim Plaintiff/Third-Party Complaint Plaintiff Michael M. Goldberg, M.D. (“Dr. Goldberg”) in the above-referenced action. We write to inform the Court that Dr. Goldberg has filed a Motion to Strike a submissions [Dkt. Nos. 201 and 202] ostensibly filed by Plaintiff/Counterclaim Defendant Navidea Biopharmaceuticals, Inc. (“Navidea”) in response to Dr. Goldberg’s Objections and supporting Declaration [Dkt. No. 199 and 200] to the Report & Recommendation of Magistrate Judge Freeman dated April 21, 2021 [Dkt. 199]. Navidea’s submissions were not authorized by any applicable rule or order of the Court. We therefore respectfully request that the Court refrain from any review or consideration of Navidea’s submissions until the Court rules on Dr. Goldberg’s Motion to Strike.

Thank for your attention to this matter.

Respectfully submitted,

/s/ Gregory Zimmer, Esq.